

Message Text

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PAGE 01 GENEVA 02192 291021Z

12

ACTION DLOS-05

INFO OCT-01 IO-10 ISO-00 FEA-01 ACDA-10 AGR-10 AID-05

CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-02 OFA-01 COME-00

DODE-00 DOTE-00 EB-07 EPA-04 ERDA-07 FMC-02 H-02

INR-07 INT-05 JUSE-00 L-02 NSAE-00 NSC-05 NSF-02

OES-05 OMB-01 PA-02 PM-03 PRS-01 SP-02 SS-15 USIA-15

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FROM USDEL LOS

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LOS: COMMITTEE III (POLLUTION) MEETING, MARCH 26, 1975

SUMMARY: AT THE 19TH FORMAL MEETING OF COMMITTEE III, THE UK INTRODUCED ARTICLES ON MARINE POLLUTION CO-SPONSORED BY NINE MEMBERS OF THE GROUP OF 17. AFTER GENERAL DEBATE ON THE NINE POWER PROPOSAL, THE USSR, WHICH WAS NOT A CO-SPONSOR, INTRODUCED ARTICLES DEALING WITH ISSUES NOT COVERED IN THE NINE POWER PROPOSAL. END SUMMARY

1. FOLLOWING A MOMENT OF SILENCE FOR KING FAISAL, THE UK INTRODUCED COMPREHENSIVE DRAFT POLLUTION ARTICLES ON BEHALF OF NINE MEMBERS OF THE GROUP OF 17 (BELGIUM, BULGARIA, DENMARK, GDR, FRG, GREECE, NETHERLANDS, POLAND, UK). JACKLING STRESSED UK VULNERABILITY AS A COASTAL STATE AND CHARACTERIZED THE PORT STATES POWERS INCLUDED IN THE DRAFT AS A DISTINCT SHIFT IN ITS POSITION.

UNCLASSIFIED

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PAGE 02 GENEVA 02192 291021Z

2. THE DRAFT WAS SUPPORTED IN INTERVENTIONS BY FOUR CO-SPONSORS (BELGIUM, NETHERLANDS, DENMARK, FINLAND), EACH OF WHICH EMPHASIZED THE VALUE OF THE TEXT AS A BASIS FOR DISCUSSION.

3. TANZANIA ATTACKED THE DRAFT IN A LENGTHY INTERVENTION, IN WHICH IT QUESTIONED THE "SERIOUSNESS" OF THE CO-SPONSORS, AND SUGGESTED THE DRAFT WAS A "SMOKESCREEN" FOR THE SHIPPING INTERESTS. IN PARTICULAR, TANZANIA COMPLAINED OF THE DRAFT'S LACK OF RESIDUAL POWERS IN COASTAL STATES. TANZANIA ALSO STRESSED THE NEED FOR A DOUBLE STANDARD APPLICABLE TO LAND BASED SOURCES IN DEVELOPING COUNTRIES, AND ARGUED THAT GOVERNMENT VESSELS IN COMMERCIAL SERVICE SHOULD ALSO BE COVERED BY THE EXEMPTION CLAUSE.

4. INDIA AND CANADA ALSO ATTACKED THE DRAFT AT SOME LENGTH, EACH STRESSING ITS OMISSION OF RESIDUAL COASTAL STATE POWERS. CANADA ALSO COMPLAINED ABOUT THE DRAFT'S FAILURE TO PROVIDE A DOUBLE STANDARD APPLICABLE TO ITS PROVISIONS ON LANDBASED SOURCES, AND CHARACTERIZED THE PORT STATE ENFORCEMENT PROVISIONS AS "USEFUL" AND MERITING FURTHER STUDY.

5. THE US (AMB MOORE) WELCOMED THE INTRODUCTION OF THE NINE POWER DRAFT, BUT STRESSED THE U.S. WAS DISAPPOINTED IN THE RESTRICTIONS IT WOULD IMPOSE ON UNIVERSAL PORT STATE ENFORCEMENT. MOORE ALSO STRESSED THE US UNDERSTANDING THAT THE PROPOSED ARTICLE ON DUMPING WAS INTENDED TO REFER TO DUMPING AS DEFINED IN THE 1972 LONDON CONVENTION.

6. THE USSR INTRODUCED ITS OWN DRAFT ARTICLES, ALL OF WHICH DEAL WITH ISSUES NOT COVERED BY THE NINE POWER DRAFT, INCLUDING A PROVISION PROHIBITING DISCHARGES BY SHIPS WHILE TRANSITING STRAITS USED FOR INTERNATIONAL NAVIGATION. THE USSE ALSO EXPRESSED DOUBTS ON THE ACCEPTABILITY OF THE PORT STATE ENFORCEMENT PROVISIONS IN THE NINE POWER DRAFT, STRESSING THE FACT THAT A PORT STATE WOULD BE ALBLE THEREBY TO PROSECUTE VIOLATIONS

UNCLASSIFIED

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PAGE 03 GENEVA 02192 291021Z

OCCURING FAR FROM ITS OWN COASTLINE.

7. UNEP (THATCHER) FORMALLY INTRODUCED ITS PAPER ON GEMS (GLOBAL ENVIRONMENT MONITORING SYSTEM).

8. TANZANIA, SPEAKING FIRST AFTER CO-SPONSORS, OBJECTED TO THE FORMAL INTRODUCTION OF THE TWO PROPOSALS AS A RE-OPENING OF THE GENERAL DEBATE AND DELAYING PRO-

GRESS OF SERIOUS NEGOTIATIONS. THEY INDICATED IT WOULD
HAVE BEEN MORE HELPFUL IF THEY HAD BEEN INTRODUCED AS
INFORMAL PAPERS IN THE WORKING GROUP. DALE

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